



STATE OF NORTH CAROLINA  
**DEPARTMENT OF TRANSPORTATION**

P.O. BOX 25201, RALEIGH, NC 27611-5201

## CERTIFICATION OF RULEMAKING

<b>Certifying Agency:</b> Department of Transportation					
<b>Action:</b>	<input checked="" type="checkbox"/>	Adoption	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Repeal
<b>Statutory Authority:</b> 20-141 (j2), 20-141.					
<b>Public Hearing Not Required For This Action Under:</b> GS 150A-1, 20-1.					
<b>Rule Summary:</b> Work Zone Speed Limits; Work Zone Speed Penalty.					
<b>Circumstances Requiring Rule Adoption, Repeal:</b> Necessary for public safety and welfare.					
<b>Effective Date:</b> June 18, 2009					

June 18, 2009

DATE

  
OFFICER SIGNATURE

James, K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

TITLE

## Work Zone Speed Limits

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141.

COUNTY      SAMPSON

DIVISION 3

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
SAMPSON	1060087	I 40	55	55	*55 MPH or 70 MPH* in an increment of 15 MPH, based on conditions in the field, between the Johnston County line and 0.41 mile west of NC 50. (To be in effect only when workers are present and/or lane closures are implemented and signs are posted in conjunction with TIP project I-5123.)

COUNTY JOHNSTON

DIVISION 4

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
JOHNSTON	1060085	I 40	55	55	*55 MPH or 70 MPH* in an increment of 15 MPH, based on conditions in the field, between 0.35 mile west of SR 1211 and the Sampson County Line. (To be in effect only when workers are present and/or lane closures are implemented and signs are posted in conjunction with TIP project I-5123.)

COUNTY BURKE

DIVISION 13

## DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
BURKE	1060082	I 40	55	55	*55 MPH or 70 MPH in an increment of 15 MPH, based on conditions in the field, from SR 1129 (Dysartville Road) to a point 0.21 mile east of SR 1168, to be in effect only when workers are present and/or lane closures are implemented and signs are posted in conjunction with Projects I-0910A and I-801A.
BURKE	1060083	I 40	55	55	*55 MPH or 65 MPH* in an increment of 10 MPH, based on conditions in the field, from a point 0.21 mile east of SR 1168 to the Catawba County Line, to be in effect only when workers are present and/or lane closures are implemented and signs are posted in conjunction with Projects I-0910A and I-801A.

## RESCIND THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
BURKE	1057961	I 40	55	55	I-40 from 0.76 mile west of SR 1002 to the Catawba County Line (To be in effect only when workers are present and/or lanes closures are implemented and signs are posted in conjunction with TIP Project I-5003).

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## Work Zone Speed Penalty

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141 (j2).

COUNTY BURKE

DIVISION 13

### DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
BURKE	1060084	I 40	55	55	Between the first sign that informs motorists of a work zone and the last sign that informs motorists of the end of the work zone, from SR 1129 eastward to the Catawba County Line. Changeable message signs, portable signs, and/or stationary signs will be used to inform motorists of the work zone limits of Projects I-0910A and I-0801A.

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The foregoing Highway Traffic Ordinances are hereby adopted in accordance with the General Statutes of North Carolina (20-141 (j2), 20-141).

All the actions to the Highway Traffic Ordinances herein adopted are effective June 18, 2009 and are identified as follows:

ORDINANCE TYPE	ADOPT	REPEAL
Work Zone Speed Limits	4	1
Work Zone Speed Penalty	1	0
<b>Total</b>	<b>5</b>	<b>1</b>

The Division Engineer for each affected Division shall cause to be erected appropriate signs indicating the action of the State Traffic Engineer and these ordinances shall be in full force and effect from and after the erection of such signs.

June 18, 2009

DATE

  
OFFICER SIGNATURE

James. K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

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